



BALLOTPEDIA EXPEDITIONS

NONDELEGATION

Go Deeper: Delegation and Original Meaning by Gary Lawson

After reading “Delegation and Original Meaning” by Gary Lawson, consider the following questions:

- What does Lawson mean when he says that the nondelegation doctrine may be dead as doctrine? Do you agree?
- What elements of the Constitution does Lawson believe the nondelegation doctrine emerges from? Do you agree? Are there other elements of the Constitution that speak to it?
- Many critics of the nondelegation doctrine, according to the article, don’t question whether the original meaning of the Constitution prescribes a nondelegation doctrine. What are the additional arguments critics make against it? Why does Lawson believe the correct formulation of the Constitution's nondelegation doctrine was outlined by Chief Justice Marshall all the way back in 1825?